IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3190 OF 2005

Hotel Owner's Association, Kalyan ...Petitioner
Vs.
The Commissioner,
Kalyan Dombiv. Mun. Corpn. & Ors. ...Respondents

Mr. A.S. Khandepar Adv. for Petitioner
Mr. A.S. Rao Adv. for Respondents 1 & 2
Mr. L.M. Acharya Adv. for Respondent No.3
Ms. M.P. Thakur A.G.P. for Respondent No.4

CORAM: F.I.REBELLO & ROSHAN DALVI, JJ.
DATED: 25TH NOVEMBER , 2005

P.C.

1. The Petition is not by an individual person but an Association of Hotels, challenging the charging of octroi. After considering Rule 16(a) of the Kalyan Municipal Corporation Octroi Rules 1995 and the documents filed on record, we are of the opinion that the Petition as filed requires determination of facts of each individual member as to levy of octroi. In these circumstances it will not be possible to invoke the extra ordinary jurisdiction of this Court.

. It will be open to the Petitioners who are effected by the levy of octroi, to file Appeal against the said orders.

. With the above observations Petition stand disposed of.

(F.I.REBELLO J.)

(ROSHAN DALVI, J.)